

1 STATE OF WASHINGTON )  
 2 )  
 3 COUNTY OF SPOKANE )

FILED IN THE  
 U.S. DISTRICT COURT  
 EASTERN DISTRICT OF WASHINGTON  
 OCT 25 2019

4 I, Brian R. Hoff, being first duly sworn on oath, depose and say: SEAN F. McAVOY, CLERK  
 DEPUTY  
 SPOKANE, WASHINGTON

5 I. Agent Background

6 1. I have been a Special Agent with the Federal Bureau of Investigation (FBI)  
 7 since April 11, 2010, and am currently assigned to the Seattle Division, Spokane Resident  
 8 Agency. My duties include, among other things, the investigation of organized crime and  
 9 drug trafficking. While employed by the FBI, I have investigated and participated in  
 10 investigations involving federal criminal violations related to international terrorism,  
 11 human trafficking, crimes against children, sexual assault, and violent crimes occurring  
 12 within Indian Country.

13 2. Prior to being employed as a Special Agent with the FBI, I was a Probation  
 14 and Parole Officer for the State of Missouri for approximately six years.

15 3. As a Special Agent, I am authorized to investigate violations of laws of the  
 16 United States, and to execute warrants issued under the authority of the United States.

17 4. This Affidavit provides sufficient facts to establish probable cause that  
 18 SCOTT JOSEPH FRANKLIN, with a date of birth of October 19, 1970, has committed  
 19 the offense of Mailing Threatening Communications, in violation of Title 18, United  
 20 States Code, Section 876(c).

21 5. The statements contained in this Affidavit are based in part on information  
 22 provided by other agencies; written reports about this and other investigations that I have  
 23 received, directly or indirectly, from other law enforcement agents; independent  
 24 investigation; and my experience, training and background as a Special Agent with the  
 25 FBI. Because this Affidavit is being submitted for the limited purpose of establishing  
 26 probable cause to believe that SCOTT JOSEPH FRANKLIN committed the above-  
 27 described offense, I have not included every detail of the investigation. In addition,  
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1 unless otherwise indicated, all statements contained herein are summarized in substance  
2 and in part.

3 FACTUAL SUMMARY

4 6. SCOTT JOSEPH FRANKLIN is currently in custody at the Spokane  
5 County Jail. He has previously been convicted of Mailing Threatening Communications,  
6 in violation of Title 18, United States Code, Section 876(c), in the United States District  
7 Court, Eastern District of Washington. *United States v. Scott Joseph Franklin*, CR13-  
8 116TOR (EDWA). For that prior conviction, he was sentenced on October 2, 2013, by  
9 the Honorable Thomas O. Rice to a term of imprisonment of 33 and one-half months,  
10 followed by a period of three years of supervised release. *Franklin*, CR13-116TOR, Dkt.  
11 No. 35. On April 18, 2017, FRANKLIN's supervision was revoked and he was  
12 sentenced on a Revocation Judgment to 18 months of imprisonment with no supervision  
13 to follow.

14 7. On October 16, 2019, the Office of the Clerk for the United States District  
15 Court, Eastern District of Washington (hereinafter referred to as "Clerk's Office"),  
16 contacted the United States Marshals Service (USMS) to notify them that the Clerk's  
17 Office had received letters from FRANKLIN. Copies of the letters and the postage  
18 envelope were provided to the USMS.

19 7. On October 18, 2019, USMS Deputy Marshal Christopher Fay provided me  
20 with copies of the letters and the envelope. The original letters and envelope were  
21 subsequently provided to me on October 23, 2019, by court staff. The original  
22 documents were logged and retained as evidence in FBI custody.

23 8. I have reviewed the two handwritten letters, two handwritten envelopes,  
24 and an United States Postal Service printed mailing envelope. Each handwritten letter  
25 was inside a handwritten addressed envelope. Each envelope had a handwritten return  
26 address of "Scott Franklin #105153 6E26, Spokane County Jail, 1100 W. Mallon  
27 Avenue, Spokane, WA, 99260," and addressed to "United States District Court Clerk, PO  
28 Box 1493, Spokane Wa 99201." One letter was dated October 12, 2019, and the second

1 letter was dated October 13, 2019. The letters with handwritten envelopes had been  
2 collectively placed in a USPS printed mailing envelope, addressed to "UNITED STATES  
3 DISTRICT COURT EASTERN DISTRICT OF WASHINGTON PO BOX 1493  
4 SPOKANE WA 99210-1493," with a return address of "Spokane County Jail, 1100 W  
5 Mallon Ave Spokane WA 99260-0320." This mailing envelope was postmarked on  
6 October 14, 2019. The Clerk's Office had placed a received stamp of October 16, 2019.  
7 The postmark date is the date on which the letters were caused to be deposited and placed  
8 in the Postal Service for delivery to the Clerk's Office.

9 9. In the letter dated October 13, 2019, it stated, in relevant part, "Dear Court  
10 Clerk, The F.B.I. jeopardized my safety and my life . . . Now, when I get out, I'm killing  
11 every agent of F.B.I. and ever [sic] Federal Judge within your Federal Courthouse in  
12 Downtown Spokane . . . I'm going to make a plastic or metal bomb so powerful to blow a  
13 2 block radiant and kill every F.B.I. agent and every Federal Judge in your Federal  
14 Courthouse. Why did they do that those stupid fucks. Tell them I'll see them shortly and  
15 I really mean it!" The letter contains a handwritten signature of "Scott J. Franklin."

16 10. The letter dated October 12, 2019, stated, "Dear Clerk, About my 1<sup>st</sup> letter  
17 of killing every Judge and every F.B.I. agent in your Federal Courthouse in Downtown  
18 Spokane at 920 W. Riverside, Spokane, Washington 99201 with powerful explosive  
19 bomb – well you can't charge me with mailing threatening communications under title 18  
20 U.S.C. Because that letter is a promise I swear to god I going to blow up and kill every  
21 Federal Judge and every F.B.I. Agent in your Federal Courthouse when I get out soon,  
22 and that's a promise I swear to god and this is no joke, for real." This letter is signed,  
23 "Cordially; Scott J. Franklin."

24 11. On October 23, 2019, Deputy Marshal Fay and I contacted FRANKLIN at  
25 the Spokane County Jail. After being advised of his rights and that the interview was  
26 voluntary and was being recorded, FRANKLIN agreed to speak with us. FRANKLIN  
27 confirmed that he had written the letters dated October 12 and 13, 2019, and caused them  
28 to be mailed to the United States Courthouse. When asked about his intentions when he



1 wrote the letters, FRANKLIN stated, "I was gonna do exactly what I said in the letter . . .  
2 I was gonna try to figure out how to make a bomb and blow up the fucking building."  
3 FRANKLIN equivocated and said, "Probably not now. I'm not mad no more," but later  
4 in the interview clarified, "I'm pretty mad at 'em man. You know what I'm saying? I  
5 mean, I was seriously gonna figure out how to make something. I was seriously gonna  
6 do it." FRANKLIN explained that he has previously constructed explosive devices,  
7 including bombs using "C-4," and that he believes he could obtain explosives from  
8 people he knows in the military.

9 11. Based on the foregoing, I believe that there is probable cause to believe that  
10 SCOTT JOSEPH FRANKLIN committed the offense of Mailing Threatening  
11 Communications, in violation of Title 18, United States Code, Section 876(c).

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14 BRIAN R. HOFF  
15 Special Agent  
16 Federal Bureau of Investigation

17 Based on the Complaint and Affidavit sworn to before me, and subscribed in my  
18 presence, the Court hereby finds that there is probable cause to believe the Defendant  
19 JOSEPH SCOTT FRANKLIN committed the offense set forth in the Complaint.

20 Dated this 25<sup>TH</sup> day of October, 2019.

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23   
24 JOHN T. RODGERS  
25 United States Magistrate Judge  
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